

EXHIBIT B



The Honorable Marsha J. Pechman

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

10 TRAVIS MICKELSON, DANIELLE H. )  
11 MICKELSON, and the marital community ) No. C11-01445 MJP  
12 thereof, )  
13 Plaintiffs, ) DEFENDANT FEDERAL HOME  
14 v. ) LOAN MORTGAGE  
15 CHASE HOME FINANCE LLC, et al., ) CORPORATION'S RESPONSES  
Defendants. ) AND OBJECTIONS TO  
 ) PLAINTIFFS' FIRST SET OF  
 ) INTERROGATORIES AND  
 ) REQUESTS FOR PRODUCTION

16 Defendant Federal Home Loan Mortgage Corporation ("Freddie Mac") responds and  
17 objects to Plaintiffs' First Set of Interrogatories and Requests for Production as follows:  
18

19 **I. GENERAL OBJECTIONS**

20 Freddie Mac makes the following General Objections to Plaintiffs' First Set of  
21 Interrogatories and Requests for Production, and any subsequent requests related to the same  
22 subject matter. Freddie Mac reserves the right to supplement, amend, or qualify its General  
23 Objections.

24 1. **Scope.** Freddie Mac objects to Plaintiffs' discovery requests because, as  
25 written, they are overbroad and unduly burdensome, do not seek information or documents  
26 relevant to the subject matter of the pending action, and are not reasonably calculated to lead to  
27 the discovery of admissible evidence.

DEFENDANT FEDERAL HOME LOAN MORTGAGE CORPORATION'S  
RESPONSES AND OBJECTIONS TO PLAINTIFFS' FIRST  
INTERROGATORIES AND REQUESTS FOR PRODUCTION  
(C11-01445 MJP) — 1  
DWT 18753733v2 0036234-000130

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1 extent it seeks confidential and proprietary information under Fed. R. Civ. P. 26(c)(1)(G)  
 2 (General Objection No. 3). Freddie Mac further objects to Request for Production No. 2 to the  
 3 extent it seeks information not reasonably calculated to lead to the discovery of admissible  
 4 evidence in this litigation (General Objection No. 1). Plaintiffs cannot use this lawsuit to  
 5 engage in a fishing expedition for information that has no bearing on their claims. *See Cuomo*  
 6 *v. Clearing House Ass'n, LLC*, 129 S. Ct. 2710, 2719 (2009) (prohibiting “fishing expeditions  
 7 or an undirected rummaging through . . . records for evidence of some unknown wrongdoing”).  
 8 Freddie Mac also objects to Request for Production No. 2 to the extent it calls for producing  
 9 documents already in Plaintiffs’ possession, custody, or control, or that are obtainable through  
 10 other, more convenient sources, such as the Island County’s auditor’s office (General Objection  
 11 No. 5). *See* Fed. R. Civ. P. 26(b)(2)(C)(i). Freddie Mac further objects that Plaintiffs lack  
 12 standing to challenge any alleged or real agreement that Freddie Mac may or may not have with  
 13 “the other Defendants” and to which Plaintiffs are not parties. *See Hairston v. Pac. 10 Conf.*,  
 14 101 F.3d 1315, 1320 (9th Cir. 1996) (affirming dismissal of contract claims where plaintiffs  
 15 failed to show they were third-party beneficiaries of the contract under Washington law).

16 Subject to and without waiving the foregoing objections, Freddie Mac understands that  
 17 Chase will produce Plaintiffs’ loan file, which contains documents responsive to this request.

18 INTERROGATORY NO. 4: State whether Federal Home Loan Mortgage Corp.  
 19 acquired interests in the Mickelson’s (a) note; (b) Deed of Trust; and (c) servicing rights; and  
 20 with regard to each, identify each right acquired; the date each right was acquired; how the  
 21 right was acquired; and identify those persons who have personal knowledge regarding each  
 22 interest acquired; or documents evidencing the same.

23 ANSWER: Freddie Mac objects to Interrogatory No. 4 because it seeks information not  
 24 reasonably calculated to lead to the discovery of admissible evidence in this litigation (General  
 25 Objection No. 1). “[T]he [borrower] should be indifferent as to who owns or has an interest in  
 26 the note so long as it does not affect [her] ability to make payments on the note.” *See In re*

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1 *Veal*, 450 B.R. 897, 912 (B.A.P. 9th Cir. 2011); *see also id.* (“[Plaintiffs] should not care who  
 2 actually owns the Note—and it is thus irrelevant whether the Note has been fractionalized or  
 3 securitized—so long as they know who they should pay.”).

4 Subject to and without waiving the foregoing objections, Freddie Mac responds that it  
 5 acquired the beneficial rights to the loan for the Property on April 28, 2006. Freddie Mac  
 6 further responds that it bought the Property at the Non-Judicial Foreclosure sale on March 25,  
 7 2011, because Plaintiffs had not cured their default or sought to restrain the sale. Amended  
 8 Compl., Ex. T [Dkt. 29-11]. Pursuant to Fed. R. Civ. P. 33(d), Freddie Mac will arrange for  
 9 production of documents reflecting when it acquired its interest in Plaintiffs’ loan.

10 **RESPONSES TO INTERROGATORIES AND REQUESTS FOR PRODUCTION**

11 SUBMITTED this 17<sup>th</sup> day of February, 2012.

12 **DAVIS WRIGHT TREMAINE LLP**  
 13 Attorneys for Defendant Federal Home Loan  
 14 Mortgage Corporation, JPMorgan Chase Bank,  
 N.A., and MERS

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